ADJOURNMENT MOTION.—

re. Government Order rejecting the motion that no subject shall be removed from public roads during para processions.

Mr. President.—I have received the following adjournment motion from Dr. A. R. Menon—

"Under rule 18 of the Cochin Legislative Council Rules, I hereby give notice that I intend to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance, to wit, the recent order of the Government rejecting the motion of the House that no subject of His Highness the Maharaja shall be removed from public roads during para processions".

May I ask the Hon'ble Member when he handed over this notice?

Dr. A. R. Menon.—During question time, after 11 O'clock.

Mr. President.—May I know what the Hon'ble member has to say with regard to S. O. No. 13 which says, "The member asking for the leave must before the commencement of the sitting at which he intends to move it leave with the President a written statement of the matter proposed to be discussed".

Dr. A. R. Menon.—There was some difficulty. It was not clear where I should take this notice—to the President's room or not. As the section stands it is very difficult to know where I should give the notice to the President.

I believe on some occasion a point was raised in this connection and it was ruled that it must be given to the President just before the session begins. Then I put this question as to where I should deliver the notice. Can I go to the President's room and give the notice there? The arrangement is only to give ample time for the President to consider the matter and come to a decision and if you stick to that rule I have no objection to present this again tomorrow.

Mr. President.—I do not want to disallow this on such a small technical point. But for the information of the Hon'ble members, I may say that in future the Hon'ble Members who wish to move for the adjournment of the House must hand over the notice to the Council Secretary at least 15 minutes before the meeting begins, i. e. at 10-45. If they so desire they are at liberty to come to the President's room.

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There is a more serious technical objection to this motion. May I know from the Hon'ble member when this order of the Government was issued.

Dr. A. R. Menon.—The exact date I do not remember. I must refer to the Gazette. But it was approximately two weeks ago.

Mr. President.—It has been no doubt a well established practice in all Legislatures that in the case of adjournment motions the leave for moving a motion must be at the first sitting of the Legislature after the matter has been brought to the notice of the Hon'ble members and unless this is done the motion will be out of order. Now this motion should have been given notice of yesterday.

Dr. A. R. Menon.—I was not able to present it yesterday because I was not a member. I took oath only yesterday. Therefore naturally I could not give notice yesterday.

Mr. President.—The Hon'ble member does preserve his right to give notice after taking the oath. He could have given the notice when the questions were going on. I know that he took the oath only yesterday. But after taking the oath he could have given notice of the motion.

Dr. A. R. Menon.—According to the rule only one adjournment motion can be tabled for a day. There was already one adjournment motion tabled for yesterday and I expected that it would be accepted. Therefore I did not give notice of this.

Mr. President.—The existence of that rule is no bar for half a dozen Hon'ble members to send adjournment motions. In order to save the limitation motions will have to be tabled at the first day of the sitting. But if this were a bar to another motion then the Hon'ble member would have had the right to move it today. According to the rule not more than one motion can be discussed in a day. There is nothing to prevent Hon'ble members from handing over notice of half a dozen motions.

Dr. A. R. Menon.—I wish to bring to the notice of the President that we have also some precedents. I remember very well of adjournment motions being admitted on Wednesdays, Thursdays and Fridays.

Mr. President.—I am not prepared to accept that. I propose to enforce the practice which is obtained in other legislatures.

Dr. A. R. Menon.—We have been following a certain procedure in this Council and unless and until these precedents are changed, this will be a new procedure. We are not concerned

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with what is being adopted by any other Council in India or otherwise. I am only bound by the practices adopted by this Council. I submit that you will be pleased to note that on any day of the session an adjournment motion can be given notice of. If you wish to make any change, it is only fair to give us a chance.

Mr. President:—For the reasons stated above I rule that the motion is out of order.

The Cochin Usurious Loans Bill.

Mr. Thomas Manjuran.—I beg to present the Select Committee Report on the Cochin Usurious Loans Bill. Only two substantial changes have been introduced in the original Bill. They consist of (1) fixing a maximum of rate which is 12 per cent, which is found in clause (2) (c) of the Bill and (2) the penal clause introduced as clause 5. There are two amendments tabled with regard to this Bill and these amendments refer to these changes. I move that the Bill be taken into consideration.

Mr. S. C. Viswanatha Ayya—Mr. President Sir, Under Standing Order 37(2) of the Cochin Legislative Council I beg to move the following amendment to the Law Member's motion of taking up for consideration of the Cochin Usurious Loans Bill:—

"The Bill may be re-committed to another Select Committee with instructions to take evidence from important centres in the State."

Sir, when I received notice of the Law Member's motion I took the opinion of my constituents on the measure and I realised then that they had not so far been made aware of the Bill nor of the happenings of the Select Committee. The Select Committee that has now submitted the report is one appointed by the previous Council and as such the members of this House, who are now asked upon to consider the Bill had no opportunity of modifying the Bill in accordance with the wishes of their constituents. The nature of the Bill and the far-reaching effects it will have on the financial transactions taking place every-day in the country do warrant that the public should certainly be given the fullest scope of expressing their unequivocal opinion on the provisions of the Bill. I believe that it may be contended that publication in the Government Gazette was enough to attract the attention of the public in this Bill as well. But I may be allowed to submit that in many cases the public eye does not pitch upon such publications in the Gazette, and that the only method of inviting public opinion on such important matters is by authorising the Select Committee to give the Bill the

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